

Applicant : Huan-Cheng Chang et al.  
Serial No. : 10/726,071  
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Attorney Docket: 08919-109001 / 07A-920505

### REMARKS

Claims 30, 31, and 74-144 are pending, of which claims 30, 107, and 134 are independent.

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

**3. Claims 30 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 5,679,950 (Baba et al). In reference to claim 30, Baba teaches a method comprising: selectively ejecting ions out of a mass selection device based on mass-to-charge ratios of the ions (Claim 1); using an ion trap to collect the ions ejected from the mass selection device (column 3 line 47-column 4 line 53); detecting light emitted from the ions in the ion trap to generate a detection signal (Column 4 lines 27-29); and correlating the detection signal with characteristics of the mass selection device to determine a mass spectrum on the ions in the ion trap (column 3 lines 63-66). In reference to claim 31, Baba teaches a method further comprising directing a laser toward ions in the ion trap to induce fluorescence, and detecting light emitted from the ions comprises detecting the fluorescence emitted from the ions (claim 1).**

Baba does not disclose or suggest detecting light emitted from ions in an ion trap to generate a detection signal, and correlating the detection signal with characteristics of a mass selection device to determine a mass spectrum on the ions in the ion trap, as recited in claim 30.

In claim 30, the "mass selection device" and the "ion trap" are two different items. Ions are ejected out of the mass selection device and collected in the ion trap. A detection signal is generated by detecting light emitted from the ions in the ion trap, then the detection signal is correlated with characteristics of the mass selection device to determine the mass spectrum of the ions.

By contrast, Baba teaches a method of determine the mass spectrum of ions in an "in-trap" manner (col. 4, lines 3-5 and 8-11). In Baba, a detection signal is generated by detecting light emitted from ions in an ion trap, and then the detection signal is correlated with characteristics of the same ion trap to determine the mass spectrum of the ions. See column 6, line 22 to column 7, line 27 of Baba for five different methods of fluorescent mass spectrometry. When multiple ion traps are used in tandem, Baba discloses that "at each of the stages of n-iteration tandem mass spectrometry, products are subjected to mass spectrometry without being

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ejected out of the trap." (emphasis added) (col. 15, lines 47-49) Therefore, Baba does not disclose or suggest generating a detection signal by detecting light emitted from ions in an ion trap, and correlating the detection signal with characteristics of a mass selection device, as recited in claim 30.

Claim 31 is patentable for at least the same reasons as claim 30.

Any circumstance in which the applicant has addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner. Any circumstance in which the applicant has made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims. Any circumstance in which the applicant has amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Please apply any charges or credits to deposit account 06-1050, reference 08919-109001.

Respectfully submitted,

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